

THE INDIANAPOLIS MARION COUNTY LAW ENFORCEMENT
CONSOLIDATION COMMITTEE

DATE: October 06, 2005

CALLED TO ORDER: 5:45 p.m.

ADJOURNED: 7:45 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Lonnell Conley
Ron Gibson
Dane Mahern
Lynn McWhirter
Marilyn Pfisterer
Lincoln Plowman
William Oliver
Joanne Sanders

Absent Members

AGENDA

PROPOSAL NO. 471, 2005 - amends the Code to establish a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the Marion County Sheriff's Department, to establish a transition advisory board and make other provisions to ensure that such consolidation proceeds in an orderly fashion, and to make corresponding technical changes to numerous sections of the Code

THE INDIANAPOLIS MARION COUNTY LAW ENFORCEMENT CONSOLIDATION COMMITTEE

The Indianapolis Marion County Law Enforcement Consolidation Committee of the City-County Council met on Thursday, October 6, 2005. Chairwoman Mary Moriarty Adams called the meeting to order at 5:45 p.m. with the following members present: Lonnell Conley, Ron Gibson, Dane Mahern, Lynn McWhirter, Marilyn Pfisterer, Lincoln Plowman, William Oliver, and Joanne Sanders. Also present Steve Talley the President of the City-County Council, Councillors Patrice Abdullah, Scott Keller, and Jackie Nytes and Bart Brown, the Chief Financial Officer of the Council.

PROPOSAL NO. 471, 2005 - amends the Code to establish a metropolitan law enforcement agency through the consolidation of the Indianapolis Police Department and the Marion County Sheriff's Department, to establish a transition advisory board and make other provisions to ensure that such consolidation proceeds in an orderly fashion, and to make corresponding technical changes to numerous sections of the Code

Steve Campbell, Deputy Mayor, gave a brief overview of the presentation on law enforcement consolidation, which is on file in the Council office.

Some key points mentioned:

- Taxpayers in Indianapolis/Marion County will receive enhanced police service if there is a consolidation.
- Officers will not be moved out of the IPD district and placed elsewhere. As a result, police patrol in the townships will improve.
- The Marion County Sheriff will have sole authority over the largest law enforcement agency in the State of Indiana.
- A consolidation would provide better service city and county-wide at a lower cost.

Mr. Campbell stated that the Mayor cannot support the Sheriff's 10 point proposal of collaboration because this plan would expand IPD's district, which would take IPD from Center Township. Another reason would be is that the Sheriff's plan would increase the tax burden of the citizens that live in Center Township. Mr. Campbell stated that there has been conversation saying that the Mayor did not consult with any law enforcement officials regarding consolidation. This is a false statement; the Mayor personally met with the Chief of the IPD, the Marion County Sheriff, and has had meetings at the FOP Lodge with several law enforcement officials.

Chairwoman Moriarty Adams stated that the Sheriff presented 10 points of a possible plan but his 10 points were not in proposal form.

Councillor McWhirter stated that there is a big difference between meeting with and consulting with the Sheriff and the FOP. She asked if the Mayor has asked the Sheriff and the FOP their opinions on consolidation. Mr. Campbell answered in the affirmative. He added that the first time they consulted with each other occurred before IndyWorks was introduced in the State Legislature. The Mayor's office had some conversation with the Sheriff's attorney, and as a result of those conversations IndyWorks was changed before it was presented to the State Legislature.

Councillor McWhirter asked why the Mayor has changed from the collaboration plan to a consolidation plan. Mr. Campbell stated that the Mayor said in the 2003 Peterson Plan that he does not support a consolidation plan, but instead prefers a collaboration plan. What has happened since then is that circumstances have changed. One of the things that has changed is that the pension cost for police and fire are out of control and there are a lot of expenses that are hitting local government with no way to pay for them. These problems have been managed before but there is no way to go around them anymore. Councillor McWhirter stated that Mr. Clifford said in another committee meeting that even with IndyWorks in 2007 the City is going to be \$23 million in the hole. She asked, if the consolidation passes, how the City would be financially. Mr. Campbell stated that if IndyWorks is passed in total by the General Assembly, regardless of what happens in the future, the cost of local government will be \$35 million less.

Mr. Robert Clifford, Office of Finance & Management, stated that those projections that Councillor McWhirter is referring to were projections that spending continued at 2003 and 2004 spending levels. He said that what has transpired over the last few months is that this Council has taken some very aggressive financial and fiscal stances and reduced the budget for the City side of the ledger. The spending reserves this year are \$20 million as opposed to \$50 million. Councillor McWhirter stated the transition authority consists of the Mayor, the Sheriff and the President of the City-County Council, and that means it would take only a quorum of two to hold a meeting. She asked what prevents the Mayor and the Council President from eliminating the Sheriff at any meeting. Mr. Campbell stated that he does not know the answer to that but believes that the Mayor and the Council President both believe that the Sheriff's input is very important to the entire process. Suzannah Overholt, Transition Director, stated the Transition Authority is a public body, so any meeting that would be held would have to be publicized. Councillor McWhirter stated that there are at least five members on this committee that have obligations to the Mayor. Mr. Campbell stated that as the Council sees fit they can add more members. Councillor McWhirter asked what will happen to the two FOP contracts for MCSD and IPD. Ms. Overholt stated that the language in the proposal means that there would still be two contracts, but there is nothing in the language that would preclude the Sheriff from renegotiating the contract.

Councillor Mahern asked how much money from COIT has been spent on law enforcement. Mr. Clifford stated that almost all of COIT went to law enforcement. Councillor Mahern stated that consolidation would not be a fix to all, the fiscal

problems that the City is facing, and sooner or later this City is going to have to come up with some economical ways to pay for its police.

Councillor Plowman asked when COIT was started. Mr. Brown stated that it started in the mid-1980's. Councillor Plowman said that the statement about Center Township not receiving Services from MCSD is false. MCSD helps out with all special events that come into this city as well as provide other services for Center Township.

Councillor McWhirter asked what positions were looked at when it came to duplication of services. Mr. Campbell stated that special units were looked at because both units would have two commanders if consolidation were to occur.

R.P. Marks, retired police officer, urged the committee to listen and go forth with the Sheriff's plan to collaborate law enforcement.

Rosie Stockdale, citizen, said that she is paying taxes for a lot of services that she does not receive. She also said that the Transition Authority is created solely by politics, in her opinion.

Roger Bowser, citizen, said that section 251-101 strips the Director of Public Safety of all powers, duties, and responsibilities of anything to do with law enforcement; yet section 279-203 has the Director of Public Safety appointing two of the eleven members of the Advisory Committee. He asked why is this allowed if the director has nothing to do with public safety. He asked where the representation of IPD is on the Organizational Committee.

Mick Reddick, citizen, said that the people here have forgotten what the democratic process is all about. These Council members are not listening to the citizens and they were elected to do just that.

Paul Thompson, MCSD, said the social security issue should be resolved before there is any consolidation. This is a very important issue for a lot of members of MCSD. He asked if the Council has taken into account vacation time and sick leave.

Vince Huber, Fraternal Order of Police (FOP), said the FOP and its' members will collaborate with the MCSD, IPD, and hopefully members of the Council to make sure the right thing is being done for the right reason. He said the FOP was not consulted with regard to Proposal 471, 2005. The suggestion that this proposal is reasonable, adequate, and in the public interest does not meet the legal standard and it needs to be addressed. Several portions of this ordinance are blank. Mr. Huber said that each city that was visited stated that consolidation will cost more money and there will be no savings. He said that the Council has been given several options to properly fund public safety, but those options were given to fund the new

Colts stadium. Public safety is severely under-funded. Mr. Huber asked why an elected sheriff needs two other people telling him what to do. Every citizen has spoken out against consolidation yet it is still being considered. He asked why all of the other sub-committees, are staffed with non-law enforcement personnel. He said this issue is very complicated and asked why it is being rushed. He said more time needs to be allotted and consideration given to the Sheriff's plan to collaborate.

Paula Lundin, citizen, asked who is going to be in charge of the new department.

Jeffrey Schumen, citizen, asked who produced the new report and wondered why the Sheriff, the FOP, or IPD were not notified. Secondly, he asked who was consulted with any law enforcement experience regarding this proposal.

Rob Challis, MCSD, stated the MCSD's civil office generated \$1.4 million for the County General Fund. He stated that he is not in support of the plan.

Kelly Ferrell, citizen, asked what the exact duties will be of the Director of Public Safety.

Carlos Santos, MCSD, asked who will decide the manpower and allocation issues when it comes to the Sheriff's deputies and the IPD officers. He also asked how that would affect the workload of the patrol officers and the civilian employees.

Steve Davis, retired from Marion County Sheriff Department (MCSD), said that this proposal is contrary to current thinking and operation. Cities of police services in metropolitan areas have demonstrated that smaller governments handle police protection more effectively. No city in the world has saved money by consolidating public safety. He said that saving the taxpayers money is always desirable. This city must remember that performing this mission is mandatory. There seems to be a lot of confusion about efficiency. Many people believe that government should be run like a business but government is not a business. The government should be run by the government. He said that any plan to consolidate law enforcement will be detrimental to the safety of the community.

Michael L. Russell, pastor, stated that he is very concerned for the public safety officers, and 97 percent of IPD and MCSD are against consolidation. This proposal will create a low morale among the officers that will be protecting Indianapolis/Marion County. There should have been law enforcement input.

Damon Roach, pastor, stated that this committee should leave things the way that they are and find other ways to fix the problem.

Robert Yahara, citizen, stated that he is a citizen who loves this city and he is praying for those that are in authority to govern this city wisely and responsibly so

that the citizens can live quiet and peaceful lives. He said that under Uni-Gov, Marion County was named Indianapolis. The old city limits remain as a boundary for special service districts, and this boundary is a huge dilemma for those that are in authority. He asked if this geographical area is a city, a city within a county, or a metro region without a county. He urges the faith-based organizations to pray for the task at hand.

Chris Heffner, MCSD, asked if the Mayor consulted the police officers in this city about consolidation then why has he not been to any of the law enforcement consolidation meetings to address some of the concerns that are in question. He asked why it is that the Mayor and the Council President, who are non-law enforcement personnel, get to override an elective sheriff in a quorum.

Tammie Peters, citizen, stated that she pays high taxes in Franklin Township, and she likes living there. She asked if Captains and Lieutenants will be placed back on road patrol. She asked if the beats will be made larger.

Shirley Challis, citizen, stated that everyone involved should take more time to consider this and not make a mistake.

Erin Lind, citizen, stated that the next meeting is on a Monday night (the Monday Night home football game of the Colts) and asked if the public would please come to the meeting instead of going to the Colts game.

Councillor Pfisterer stated that the \$8.8 million that is supposed to be saved has been bounced around and it still keeps surfacing. The independent study said that \$3.2 million could be saved but that was with eliminating the Social Security from the Sheriff's department. She said that this committee has been told over and over again not to anticipate any savings because there would be none. Councillor Pfisterer stated that Social Security has been addressed, but not with any clarity. She said she received information from the Social Security Administration, which stated that there are two options. The first option is to merge and create a new entity, but if that is the case there has to be a referendum on the part of the law enforcement professional that would be involved. If they vote yes, then all of the officers in the new entity would be in Social Security. The second option is if separate retirements were to be maintained it would take Congressional legislative action. Councillor Pfisterer stated that it would be a great disservice to take away Social Security from the Sheriff's department. The police officers have said "no" to the proposed plan. She said that not one citizen has come to her in support of the proposal, but there have been a number of citizens that say they are opposed to consolidation.

Councillor Pfisterer moved, seconded by Councillor McWhirter, to "Table" Proposal No. 471, 2005. This motion failed by a vote of 3-6 with Councillor Pfisterer, McWhirter, and Plowman casting the positive votes.

Councillor Pfisterer stated that this is a disservice to the public by not giving them more time on this study.

Councillor Sanders stated that she does not believe that by opposing the motion to table that this committee is not giving this more consideration. There are still a few meetings to come. She said that in several situations the other communities that were visited said that their budget for public safety has increased, but their information has not been shared during these discussions. Jacksonville Florida has been consolidating for approximately 30 years; a 47 percent increase in cost over a 30-year period is keeping up with the cost of living. Charlotte North Carolina's motivation was to have a county-wide law enforcement agency, and they are in a very envious position because they have a lot of money in their fund balance. Their costs have gone up and they have expended money to increase their fund to ensure that the growing population is getting the service that they require. She said to suggest that the other cities are facing increased costs because of some lack of ingenuity in consolidating is sending a message that misrepresents what actually happened. Councillor Sanders said that although she received emails from citizens that opposed consolidation, she also received emails and phone calls from citizens that support consolidation. This policy will impact Indianapolis/Marion County until someone else comes along and changes it.

Mr. Brown stated that the report put out by his team will be updated based upon new information, and part of that information is from the Administration on Social Security issues. He said that it is possible that no one loses Social Security benefits and still saves money over a period of years.

Councillor Pfisterer asked if this scenario would require Congressional legislative action. Mr. Brown stated that he does not know the answer to that question. Councillor Pfisterer stated that she agrees with Councillor Sanders that this is a policy issue and she does not think that an additional 20 days or more is too much to ask for to be able to digest the new information as far as the amendments.

Councillor Mahern stated that there has been a lot of consolidation that has already taken place in Indianapolis/Marion County and all of that has helped out a lot. The one thing to remember is this committee is not trying to make a snap judgment. Indianapolis/Marion County is further along with consolidation because of some other things that were already done here, other cities had to pay for those things.

Councillor McWhirter stated it is odd that it is a good thing when 25 percent of a union membership votes for something, but it is not a good thing when 50 percent votes against something.

Councillor Plowman stated that more time should be allotted to consider this proposal.

Councillor Oliver stated that the exchange of the dialogue at the committee meetings is not meant to disrespect anyone in the public or on the committee. He said that he has a great admiration for all law enforcement officials.

Councillor Conley stated that he believes that there will be ample time to study the new information that has been presented. He stated that this committee will do what is fair for the citizens of Indianapolis/Marion County.

Councillor McWhirter stated that she would like to apologize to Sheriff Anderson by saying that no one on the committee would disrespect the Sheriff of Indianapolis/Marion County. She said that she would also like to ask Councillor Oliver if he respects IPD and Sheriff's officers so strongly then please take the time to listen to the officers.

Chairwoman Moriarty Adams thanked everyone for their comments and concerns and stated to the committee members that amendments were given and should be studied, as they will be discussed at the next law enforcement consolidation meeting.

CONCLUSION

With no further business pending, and upon motion duly made, the Administration and Finance Committee of the City-County Council was adjourned at 7:46 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
The Indianapolis Marion County
Law Enforcement Consolidation
Committee

MMA/rjp